

I certify that the attached is a true and
correct copy of HB 2216 which
was filed of record on APR 19 1979
and referred to the committee on:
Judicial Affairs
Betty Murray
Chief Clerk of the House

FILED APR 19 1979

By NABERS

H. B. No. 2216

A BILL TO BE ENTITLED

AN ACT

relating to creation of the County Court at Law of Brown County.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. CREATION. The County Court at Law of Brown County is created.

SECTION 2. JURISDICTION. (a) The County Court at Law of Brown County has jurisdiction over all causes and proceedings, civil and criminal, juvenile and probate, original and appellate, prescribed by the constitution and general laws of the state for county courts. It does not have jurisdiction over causes and proceedings concerning roads, bridges, and public highways and the general administration of county business which is now within the jurisdiction of the Commissioners Court of Brown County.

(b) The County Court at Law of Brown County has jurisdiction concurrent with the district court in eminent domain cases and in civil cases when the matter in controversy exceeds \$500 and does not exceed \$20,000, exclusive of interest.

(c) In addition to the jurisdiction conferred on the County Court at Law of Brown County by the other provisions of this Act, the county court at law has concurrent jurisdiction with the district court in Brown County in suits and causes involving family law matters, including adoptions; birth records; removal of disability of minority or coverture; change of name of persons; divorce and marriage annulment cases, including the adjustment of

1 property rights, custody and support of minor children involved,
2 temporary support pending final hearing, and every other matter
3 incident to divorce or annulment proceedings; and independent
4 actions involving child welfare, custody, support and reciprocal
5 support, dependency, neglect, and delinquency; and independent
6 actions involving controversies between parent and child and
7 between husband and wife. The provisions in this subsection do not
8 diminish the jurisdiction of the district court in Brown County,
9 and the district court shall retain and continue to exercise the
10 jurisdiction that is conferred by law on district courts.

11 (d) The County Court of Brown County shall have no
12 jurisdiction, civil, criminal, or probate, original or appellate.
13 All ex officio duties of the county judge shall be retained and
14 exercised by the judge of the County Court of Brown County, except
15 as provided by this Act or otherwise provided by law.

16 SECTION 3. WRIT POWER. The county court at law, or its
17 judge, has the power to issue writs of injunction, mandamus,
18 sequestration, attachment, garnishment, certiorari, supersedeas,
19 and all writs necessary for the enforcement of the jurisdiction of
20 the court. It may issue writs of habeas corpus in cases where the
21 offense charged is within the jurisdiction of the court or of any
22 other court of inferior jurisdiction in the county. The court and
23 judge have the power to punish for contempt as prescribed by law
24 for county courts. The judge of the county court at law has all
25 other powers, duties, immunities, and privileges provided by law
26 for county court judges, except that such judge of the county court
27 at law shall in no way have any authority over the administrative

1 business of Brown County which is now performed by the county judge
2 of Brown County.

3 SECTION 4. TERMS. The county court at law shall hold two
4 continuous terms which commence on the first Monday in January and
5 on the first Monday in July of each year. Each term of court
6 continues until the next succeeding term begins.

7 SECTION 5. JUDGE. (a) The judge of the county court at law
8 shall be a qualified voter in Brown County, shall have been a
9 resident of Brown County for two years, and shall be a licensed
10 attorney in this state who has been actively engaged in the
11 practice of law or has been a judge of a court in this state, or
12 both combined, for four years prior to the judge's appointment or
13 election.

14 (b) When this court is created, the governor, with the
15 advice and consent of the senate, shall appoint a judge to the
16 county court at law, who shall serve until the next general
17 election, and until his or her successor is elected and has
18 qualified. Beginning at the general election in 1982 and every
19 fourth year thereafter, there shall be elected by the qualified
20 voters of Brown County a judge of the county court at law for a
21 regular term of four years as provided by Article V, Section 30,
22 and Article XVI, Section 65, of the Texas Constitution.

23 (c) A vacancy occurring in the office of the judge of the
24 county court at law shall be filled by the governor, with the
25 advice and consent of the senate, and the appointee shall hold
26 office until the next general election and until his or her
27 successor is elected and has qualified.

1 (d) The judge of the county court at law shall execute a
2 bond and take the oath of office prescribed by law for county
3 judges. The judge may be removed from office in the same manner
4 and for the same causes as a county judge.

5 (e) The judge of the county court at law shall receive an
6 annual salary from the state, to be paid by the comptroller of
7 public accounts in equal monthly installments, as appropriated by
8 the legislature in the General Appropriations Act. The judge of
9 the county court at law may receive a salary in an amount to be
10 determined by the commissioners court to be paid in equal monthly
11 installments out of the county treasury by the commissioners court
12 and is entitled to receive from the county traveling expenses and
13 necessary office expenses, including administrative and clerical
14 help, in the same manner as is allowed the county judge. The judge
15 of the county court at law shall assess the same fees as are now
16 prescribed or may be established by law, relating to the county
17 judge's fees, all of which shall be collected by the clerk of the
18 court and shall be paid into the county treasury on collection, and
19 no part of which shall be paid to the judge.

20 (f) A special judge of the county court at law with the same
21 qualifications as the regular judge may be appointed or elected in
22 the manner provided by law for the appointment or election of a
23 special county judge. If a judge of the county court at law is
24 disqualified to try a case pending in his or her court, the parties
25 or their attorneys may agree on the selection of a special judge
26 for the case. A special judge is entitled to the same rate of
27 compensation as the regular judge, which shall be paid from the

1 general funds of the county.

2 (g) The judge of the county court at law is a member of the
3 juvenile board in Brown County.

4 (h) The judge of the county court at law may not engage in
5 the private practice of law or receive a fee for the referral of a
6 case while serving as judge of that court.

7 SECTION 6. PERSONNEL. (a) The county attorney, county
8 clerk, and sheriff of Brown County shall serve as county attorney,
9 clerk, and sheriff, respectively, for the county court at law,
10 except that the district clerk shall serve as clerk of the county
11 court at law in cases enumerated in Section 2(c) of this Act and
12 shall establish a separate docket for the county court at law.
13 These officials, either personally or by the appointment of a
14 deputy or assistant, shall perform the duties and responsibilities
15 of their offices and are entitled to the compensation, fees, and
16 allowances prescribed by law for their respective offices. The
17 commissioners court may employ as many deputy sheriffs and bailiffs
18 as are necessary to serve the court.

19 (b) The judge of the county court at law shall appoint an
20 official court reporter who shall have the same qualifications and
21 whose duties shall in every respect be as provided by law for
22 official court reporters. The official court reporter is entitled
23 to the compensation fixed by the Commissioners Court of Brown
24 County.

25 SECTION 7. PRACTICE AND PROCEDURE. (a) Practice in the
26 county court at law shall conform to that prescribed by general law
27 for county courts, except that practice and procedure, rules of

1 evidence, issuance of process and writs, and all other matters
2 pertaining to the conduct of trials and hearings in the county
3 court at law involving those matters of concurrent jurisdiction
4 enumerated in Section 2(c) of this Act shall be governed by the
5 provisions of this Act and the laws and rules pertaining to
6 district courts, general or special, as well as county courts. If
7 a case enumerated in Section 2(c) of this Act is tried before a
8 jury, the jury shall be composed of 12 members.

9 (b) The laws which govern the drawing, selection, service,
10 and pay of jurors for county courts apply to the county court at
11 law.

12 (c) Jurors regularly impaneled for a week by the district
13 court may, on request of the judge of the county court at law, be
14 made available and shall serve for the week in the county court at
15 law.

16 SECTION 8. COURTROOM. The commissioners court shall furnish
17 and equip a suitable courtroom and office space for the county
18 court at law.

19 SECTION 9. SEAL. The seal of the county court at law shall
20 be the same as that provided by law for county courts, except the
21 seal shall contain the words "County Court at Law of Brown County."

22 SECTION 10. TRANSFER OF CASES. (a) When the county court
23 at law is created, all cases and matters pending before the County
24 Court of Brown County are transferred to the County Court at Law of
25 Brown County.

26 (b) All cases of concurrent jurisdiction enumerated in
27 Sections 2(b) and 2(c) of this Act may be instituted in or

1 transferred between the district court in Brown County and the
2 county court at law. However, no case may be transferred from one
3 court to another without the consent of the judge of the court to
4 which it is transferred, and no case may be transferred unless it
5 is within the jurisdiction of the court to which it is transferred.

6 (c) On the transfer of all cases specified in Subsection (a)
7 of this section to the county court at law, and in cases
8 transferred to any of the courts in Brown County by order of the
9 judge of another court, all processes, writs, bonds, recognizances,
10 or other obligations issued or made in the cases shall be returned
11 to and filed in the court to which the transfer is made. All bonds
12 executed and recognizances entered into in those cases shall bind
13 the parties for their appearance or to fulfill the obligations of
14 the bonds or recognizances at the terms of the court to which the
15 cases are transferred as fixed by law. All processes issued or
16 returned before transfer of the cases, as well as all bonds and
17 recognizances taken before transfer, shall be valid and binding as
18 though originally issued out of the court to which the transfer is
19 made.

20 SECTION 11. EFFECTIVE DATE. This Act takes effect September
21 1, 1979.

22 SECTION 12. EMERGENCY. The importance of this legislation
23 and the crowded condition of the calendars in both houses create an
24 emergency and an imperative public necessity that the
25 constitutional rule requiring bills to be read on three several
26 days in each house be suspended, and this rule is hereby suspended.

PUBLISHERS AFFIDAVIT

THE STATE OF TEXAS
COUNTY OF BROWN

} ss.

Brownwood Bulletin

At Brownwood, in Brown County, Texas, came Ronald E Gray

-----and upon oath says that he is the publisher of the BROWNWOOD BULLETIN,
a newspaper published in said County, Texas, and that the printed notice which is attached hereto
was published in said newspaper on March 19th, A. D. 1979, and
that said printed notice was clipped from a copy of said newspaper published on one of said dates.

Ronald Gray

Publisher.

Subscribed and sworn to before me this the 19th day of March, A. D., 1979

(Seal)

Peggy Biddle

Notary Public in and for Brown County, Texas.

BROWNWOOD BULLETIN

25 LEGAL NOTICES

THE STATE OF TEXAS
COUNTY OF Brown
On this the 9th day of January, 1979, the Board of Trustees of Zephyr Independent School District convened in Regular session, open to the public, with the following members present, to-wit:

Frank O. Conger, President Loy Miller, Larry Holamon, Joe Sanchez, Melvin McDearmon constituting a quorum, and among other proceedings had by said Board of Trustees was the following:

WHEREAS this school district has less than 150 scholastics and is subject to the terms and provisions of Chapter 22, Texas Education Code.

WHEREAS on the first Saturday in April, 1979, being April 7, 1979, a trustee election will be held in said School District for the purpose of electing 2 members of the Board of Trustees of said School District,

THEREFORE BE IT ORDERED BY THE BOARD OF TRUSTEES OF ZEPHYR INDEPENDENT SCHOOL DISTRICT:

That an election be held in said School District on April 7, 1979, for the purpose of electing 2 members to the Board of Trustees of said District.

That all requests by candidates to have their names placed upon the ballot for the above mentioned election shall be in writing and filed with the County Judge of the county in which this district is located not later than 30 days prior to date of said election.

That said election shall be held at the following place and the following named persons are hereby appointed officers for said election.

At High School Building, in Zephyr, Texas, in said School District with Mary McKinney as Presiding Judge and W. L. Henry, Clerk.

Gary Bufo is hereby appointed Clerk for absentee voting, and Leslie Hays Jr. are hereby appointed Deputy Clerks for absentee voting. The absentee voting for the above described election shall be held at Zephyr High School within the boundaries of the above named District and said place of absentee voting shall remain open for at least eight hours on each day for absentee voting which is not a Saturday, a Sunday, or an official State holiday, beginning on the 28th day and continuing through the 4th day preceding the date of said election. Said place of voting shall remain open between the hours of 8 to 5 p.m.

25 LEGAL NOTICES

NOTICE
Pursuant to Article 3, Section 57, Constitution of Texas, notice is hereby given that I, Lynn Nabers, shall apply to the 1979 Representative Session of the 66th Legislature of the State of Texas, for the passage of a local law relating to the creation of the County Court of Law for Brown County, Texas.

LYNN NABERS
State Representative
District 55
N-077006-133-133

Brownwood Bulletin
Classified Rates
Classified Phone
646-2541

The deadline for classified word ads is 5 p.m. the day before publication for weekdays and 12 Noon Saturday for Monday.

Legal advertising, 25¢ a line per insertion.

All errors should be reported immediately. The Bulletin assumes no responsibility for errors other than to return the ad one day after the error is called to our attention.

Cards of Thanks or Memoriam classification, 30 words, \$3.00. Each additional word 5¢.

Words having nine or more letters and hyphenated words are counted as two words each. Initials, telephone numerals, name, address and phone number counted and charged for as part of the ad. Words used to advertise blind box as address counts as part of advertisement. A service charge of \$1.50, hold replies: \$2.50, mail replies.

Average Words	1 Day	3 Days	7 Days	12 Days
19 or less		2.45	2.90	3.35
20-24		2.50	3.33	4.50
25-29		2.55	3.93	5.15
30-34		2.75	4.25	5.30
35-39		2.90	4.98	6.45
40-44		3.20	5.50	7.15
45-49	2.45	3.55	6.03	7.80
50-54	2.55	3.85	6.55	8.45
55-59	2.65	4.20	7.08	9.10
60-64	2.75	4.55	7.58	9.75

Dial 646-2541 and let a competent advertising person help word your results at time classified ad.

Just DIAL
646-2541

send your
message to

75 OPPORTUNITIES

AVON
BE PART OF THE GLAMOROUS FASHION WORLD
Avon can show you how to have your own beauty business. See internationally famous cosmetics and fragrances to friends, neighbors. You'll love the fun and the money. Call 646-4162, 646-4345, 735-5852, or 646-4691.
A-077067-133-137

McCOY'S
BUILDING SUPPLY CENTER
Permanent Part Time
\$3.50 per hour duties, include sales, serving, and stocking building materials customers. An Equal Opportunity Employer. See Mr. Kilgore, Brady Highway.
M-076795-130-11

TRUCK MECHANICS
Diesel & 1 Gen mechanic needed at once. We have Paid Vacations, paid major medical insurance & a bunch of good people to work with. We are Ford & International Dealers.
JOHNSTON TRUCK & SUPPLY 817-725-6181 CROSS PLAINS, TEXAS
J-076395-132-144

Waitress needed. Apply in person only, no phone calls. Section Hand Restaurant, Brady Hwy.
S-076729-129-11

I need a general office worker for seasonal hours. Applicants should possess following qualifications: be very familiar with typing, filing, bookkeeping, proof-reading and operating office machines. Should be dependable, permanent and willing to work. Call 646-5674 between 6 p.m. and 10 p.m.
Q-076729-129-134

Needed young man with cooking experience to apply in person only. Dairy Maid-1812 Coggin.
D-076882-132-11

Opportunity for full time dental assistant. Send resume to P.O. Box 1281, Brownwood, Tex., 76801
E-076536-129-11

Nurses Aides. Apply Golden Age Nursing Home, off Cisco Hwy., for positions available now, and possible availability in near future. Experienced aides, or will train suitable persons. 646-5521.
G-076227-118-11

Applications are now being accepted for the following teaching positions with the Eden Independent School District for the 1979-80 school year: Vocational Agriculture, High School English, First Grade, Special Education, Special Reading, Junior High Science & Math. Applications should be mailed to:

James A. Lancaster, Supt.
Eden I.S.D.
Drawer X
Eden, Texas 76837

E-076944-132-138
Now taking applications for Recreational Assistants 3 to 11 shift. Nursing aids 11 to 7, 7 to 3 shifts on a rotating basis. High school education required. Apply in person Southpark Development Center, Morris Shepherd Drive.
S-076257-110-11

IF YOU'D LIKE EVERYDAY OFF, AND ARE A FRY COOK, COME WORK AT BANG'S TRUCK TERMINAL RESTAURANT ON THE H P.M. TO 7 A.M. SHIFT. (APPLY BACK DOOR OR TRAILER HOUSE BEHIND.)
B-076947-132-11

Wanted: Male or female insurance salesman, fine opportunity for the right person, for full or part time work. High 1st year commission and renewals, no license required. Call 646-9110
B-735-45-22-11

Profitable distributorship for Welch's and other famous brand of pure fruit juices. Service company established account at better markets, hospitals, etc. Minimum investment \$5,000 secured by inventory and equipment. Write include address, telephone and references to NCAWILL, 2121

125 RECREATION

77 Airstream, 31', still in warranty. 11' awnings and other extras. \$17,300. Phone 646-1950.
W-076580-133-139

15 1/2' Kingfisher Bass Boat 25 H.P. Evinrude New tilt trailer. After 4:00 p.m. 643-2812 4004 Glenwood.
Mc-076564-130-136

For Sale: 16' Fiberglass boat, 100 horsepower mercury motor tilt, trailer, 4 life jackets, 1 pair skis \$1000. Call 752-4233
G-076150-125-154

New '79 Sprouter light weight Travel Trailers
15' self-contained with air, \$2895. 18' self-contained with air and tandem axles, \$3295. 20' self-contained with air and tandem axles, \$4495.

WE TRADE
We have parts and supplies. Also local factory service. D & D Travel Trailers. 617 Early Blvd. 643-1978 or 646-9219.
D-076909-131-11

1973 14 ft. Glastron Trihull with 50 H.P. Evinrude Motor and Dilly trailer. Call 817-879-2744 on weekends.
T-076933-130-11

Good Ski boat 17 ft. Glastron, Walk-thru 115 H.P. Evinrude trailer. Good condition \$3850.00. 643-2145. 205 Sundown.
S-076973-132-138

For Sale: 1978 Nomad Travel Trailer, 22' and fully self-contained. \$4550. 601 West 7th. Call Coleman, 625-5597.
R-076931-122-131

17' Majestic travel trailer, like new. 8' wide, 35' long, with additional slide-out room. Fully furnished. Must sell due to illness. \$6500 or best offer. Ponderosa Lodge, 784-5975.
W-076213-129-135

1972 18 ft. Broken Arrow Travel Trailer. Self contained. Air-conditioned. Very Clean. Can be seen at 5413 Durham or call 643-2375.
F-075324-116-11

For Sale 1978 self contained 18' travel trailer. Tub with shower - \$5200. 643-1208. Call anytime.
D-076901-129-135

17' Hallmark cab-over camper. Fully self-contained. In good condition, \$2009. Call 646-1953 or 643-2442.
C-076836-130-133

For Sale - Older model Starcraft camper with built-in sink, stove, table and ice-box, sleeps 6. Call 646-9456 after 6 p.m.
S-076717-128-141

For Sale - 14' x 55' Bonanza Mobile Home: BR 1 1/2 Bath. In good condition. Call 752-6038.
K-076972-132-138

Travel trailer, 22' long, 4 wheel, 14' boat with 18 HP motor with battery, 1 case of oil, 1 mile out of Bangs on Coleman Hwy., pink house on left. \$3500. 752-6691.
F-076744-128-134

Older 16' Lonestar boat, 35 HP Evinrude. trailer, will trade for Riverboat and motor or trolling motor and depth-finder, or 15' cash. Call 516-8452 after 5 p.m.
M-075714-128-141

INTERNATIONAL MOTORHOME FOR SALE \$6590.00 Completely self contained. 40 gal. water tank, 50 gal. gas tank, fresh engine. See at Brownwood Yamaha. Would consider trade.
B-075620-119-144

For Sale 1973 23' GMC motor home. Monaco Grand Prix DC. Less than 3000 miles. 646-9232.
R-076344-114-11

For Sale: 1978 Glastron GT-159 Blue/white, low profile ski boat, 15 HP Evinrude, big wheel Dilly tilt trailer. 646-2674.
A-71478-311-11

MOTORHOME
27 ft. Ute trailer, sleeps 6, power plant, no air, 27,000 miles, International Year 1977. Very good & clean motor home. Call 646-1953

BACKGROUND INFORMATION

Brown County has experienced growth to the extent that another court is viewed as desirable.

PURPOSE OF THE BILL

To create the County Court at Law for Brown County.

SECTION-BY-SECTION ANALYSIS

Section 1: Creates the County Court at Law for Brown County.

Section 2: Stipulates the Jurisdiction of the County Court at Law for Brown County. This jurisdiction is set at all causes with the exception of administration of county business which is within the jurisdiction of the Commissioners Court of Brown County.

Section 3: Grants writ power to this court.

Section 4: Sets out the terms of the court.

Section 5: Stipulates the requirements of office for the judge of this court. This section also stipulates that the Governor shall appoint the initial judge of this court. This judge will serve until the first general election when the office shall become elective; beginning with the general election of 1982 the judge shall be elected for four-year terms. This judge shall receive a salary as set by the state.

Section 6: Provides that existing court personnel shall serve this court. Any assistance or clerical help needed shall be paid by appropriation of the Commissioners Court of Brown County.

Section 7: Sets out that practice in County Courts of Brown County will proscribe to the general law for county courts.

Section 8: Requires the Brown County Commissioners Court to provide facilities for the operation of this court.

Section 9: Provides for a seal of this court.

Section 10: Allows for transferability of cases between the County Court and County Court at Law of Brown County.

Section 11: Stipulates that the effective date of this act is September 1, 1979.

Section 12: Emergency clause.

SUMMARY OF COMMITTEE ACTION

Public notice was posted in accordance with Rule V, Section 14, Rules of Procedure of the House of Representatives and a public hearing was held on 5/1/79.

On the same date the full committee voted to report HB 2216 to the House with two amendments and the recommendation that it do pass by a record vote of six ayes and no nays.

Committee amendment no. 1 deletes the provision that would have called for the judge of the county court at law to be paid by the state comptroller of public accounts.

Committee amendment no. 2 limits the salary paid to 90% of that paid the district judge.

No witnesses testified on this bill.



DISTRICT 55
BROWN, CALLAHAN, COLEMAN,
COMANCHE, McCULLOCH AND
RUNNELS COUNTIES
308 NORTH BROADWAY
BROWNWOOD, TEXAS 76801

The State of Texas
House of Representatives
Austin, Texas
Post Office Box 2910
Austin, Texas 78769

LYNN NABERS
COMMITTEES
CRIMINAL JURISPRUDENCE
CHAIRMAN
FINANCIAL INSTITUTIONS
CALENDARS

May 3, 1979

The Honorable Ron Bird
Chairman, Judicial Affairs
House of Representatives

Dear Mr. Chairman:

It is expected that H.B. 2216, relating to the creation of the County Court at Law of Brown County, will have no fiscal statewide impact. All costs will be determined and funded by the Commissioners Court.

It is further expected that revenue from the court will exceed estimated costs.

Sincerely,

A handwritten signature in cursive script, reading "Lynn Nabers".

LYNN NABERS

LN/ym

HOUSE COMMITTEE REPORT

1st. Printing

By Nabers

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(b) The County Court at Law of Brown County has jurisdiction concurrent with the district court in eminent domain cases and in civil cases when the matter in controversy exceeds \$500 and does not exceed \$20,000, exclusive of interest.

(c) In addition to the jurisdiction conferred on the County Court at Law of Brown County by the other provisions of this Act, the county court at law has concurrent jurisdiction with the district court in Brown County in suits and causes involving family law matters, including adoptions; birth records; removal of disability of minority or coverture; change of name of persons; divorce and marriage annulment cases, including the adjustment of

1 property rights, custody and support of minor children involved,
 2 temporary support pending final hearing, and every other matter
 3 incident to divorce or annulment proceedings; and independent
 4 actions involving child welfare, custody, support and reciprocal
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 8 diminish the jurisdiction of the district court in Brown County,
 9 and the district court shall retain and continue to exercise the
 10 jurisdiction that is conferred by law on district courts.

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 21 offense charged is within the jurisdiction of the court or of any
 22 other court of inferior jurisdiction in the county. The court and
 23 judge have the power to punish for contempt as prescribed by law
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 25 other powers, duties, immunities, and privileges provided by law
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9 resident of Brown County for two years, and shall be a licensed
10 attorney in this state who has been actively engaged in the
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12 both combined, for four years prior to the judge's appointment or
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16 county court at law, who shall serve until the next general
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18 qualified. Beginning at the general election in 1982 and every
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15 of the county court at law shall assess the same fees as are now
16 prescribed or may be established by law, relating to the county
17 judge's fees, all of which shall be collected by the clerk of the
18 court and shall be paid into the county treasury on collection, and
19 no part of which shall be paid to the judge.

20 (f) A special judge of the county court at law with the same
21 qualifications as the regular judge may be appointed or elected in
22 the manner provided by law for the appointment or election of a
23 special county judge. If a judge of the county court at law is
24 disqualified to try a case pending in his or her court, the parties
25 or their attorneys may agree on the selection of a special judge
26 for the case. A special judge is entitled to the same rate of
27 compensation as the regular judge, which shall be paid from the

1 general funds of the county.

2 (q) The judge of the county court at law is a member of the
3 juvenile board in Brown County.

4 (h) The judge of the county court at law may not engage in
5 the private practice of law or receive a fee for the referral of a
6 case while serving as judge of that court.

7 SECTION 6. PERSONNEL. (a) The county attorney, county
8 clerk, and sheriff of Brown County shall serve as county attorney,
9 clerk, and sheriff, respectively, for the county court at law,
10 except that the district clerk shall serve as clerk of the county
11 court at law in cases enumerated in Section 2(c) of this Act and
12 shall establish a separate docket for the county court at law.
13 These officials, either personally or by the appointment of a
14 deputy or assistant, shall perform the duties and responsibilities
15 of their offices and are entitled to the compensation, fees, and
16 allowances prescribed by law for their respective offices. The
17 commissioners court may employ as many deputy sheriffs and bailiffs
18 as are necessary to serve the court.

19 (b) The judge of the county court at law shall appoint an
20 official court reporter who shall have the same qualifications and
21 whose duties shall in every respect be as provided by law for
22 official court reporters. The official court reporter is entitled
23 to the compensation fixed by the Commissioners Court of Brown
24 County.

25 SECTION 7. PRACTICE AND PROCEDURE. (a) Practice in the
26 county court at law shall conform to that prescribed by general law
27 for county courts, except that practice and procedure, rules of

evidence, issuance of process and writs, and all other matters pertaining to the conduct of trials and hearings in the county court at law involving those matters of concurrent jurisdiction enumerated in Section 2(c) of this Act shall be governed by the provisions of this Act and the laws and rules pertaining to district courts, general or special, as well as county courts. If a case enumerated in Section 2(c) of this Act is tried before a jury, the jury shall be composed of 12 members.

(b) The laws which govern the drawing, selection, service, and pay of jurors for county courts apply to the county court at law.

(c) Jurors regularly impaneled for a week by the district court may, on request of the judge of the county court at law, be made available and shall serve for the week in the county court at law.

SECTION 8. COURTROOM. The commissioners court shall furnish and equip a suitable courtroom and office space for the county court at law.

SECTION 9. SEAL. The seal of the county court at law shall be the same as that provided by law for county courts, except the seal shall contain the words "County Court at Law of Brown County."

SECTION 10. TRANSFER OF CASES. (a) When the county court at law is created, all cases and matters pending before the County Court of Brown County are transferred to the County Court at Law of Brown County.

(b) All cases of concurrent jurisdiction enumerated in Sections 2(b) and 2(c) of this Act may be instituted in or

1 transferred between the district court in Brown County and the
2 county court at law. However, no case may be transferred from one
3 court to another without the consent of the judge of the court to
4 which it is transferred, and no case may be transferred unless it
5 is within the jurisdiction of the court to which it is transferred.

6 (c) On the transfer of all cases specified in Subsection (a)
7 of this section to the county court at law, and in cases
8 transferred to any of the courts in Brown County by order of the
9 judge of another court, all processes, writs, bonds, recognizances,
10 or other obligations issued or made in the cases shall be returned
11 to and filed in the court to which the transfer is made. All bonds
12 executed and recognizances entered into in those cases shall bind
13 the parties for their appearance or to fulfill the obligations of
14 the bonds or recognizances at the terms of the court to which the
15 cases are transferred as fixed by law. All processes issued or
16 returned before transfer of the cases, as well as all bonds and
17 recognizances taken before transfer, shall be valid and binding as
18 though originally issued out of the court to which the transfer is
19 made.

20 SECTION 11. EFFECTIVE DATE. This Act takes effect September
21 1, 1979.

22 SECTION 12. EMERGENCY. The importance of this legislation
23 and the crowded condition of the calendars in both houses create an
24 emergency and an imperative public necessity that the
25 constitutional rule requiring bills to be read on three several
26 days in each house be suspended, and this rule is hereby suspended.

COMMITTEE AMENDMENT NO. 1

Amend House Bill No. 2216 by deleting in Section 5(e), page 4, lines 5-8, the sentence beginning with the word "The" and ending with the word "Act."

Bird

COMMITTEE AMENDMENT NO. 2

Amend House Bill No. 2216 by inserting in Section 5(e), page 4, line 10, between the word "court" and "to" the words ", not to exceed 90% of the amount paid a district court judge having jurisdiction in Brown County,".

Allred

* H. B. No. 2216

By Naher

A BILL TO BE ENTITLED

AN ACT

relating to creation of the County Court at Law of Brown County.

APR 19 1979

1. Filed with the Chief Clerk.

APR 20 1979

2. Read first time and Referred to Committee on _____

Judicial Affairs

MAY 1 1979

3. Reported favorably (as amended) and sent to Printer at 4:15 P.M.
unfavorably (as substituted) (time)

MAY 4 1979

4. Printed and distributed at 9:06 A.M.
(time)

MAY 4 1979

5. Sent to Committee on Calendars at 9:47 A.M.
(time)

6. Read second time (amended); passed to third reading (failed) by (Non-Record Vote)
(Record Vote of _____ yeas, _____ nays, _____ present, not voting).

7. Motion to reconsider and table the vote by which H. B. _____ was ordered
engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ yeas,
_____ nays, and _____ present, not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed
to suspend) by a four-fifths vote of _____ yeas, _____ nays, and _____
present, not voting.

9. Read third time (amended); finally passed (failed) by (Non-Record Vote) (Record Vote
of _____ yeas, _____ nays, _____ present, not voting).

10. Caption ordered amended to conform to body of bill.

11. Motion to reconsider and table the vote by which H. B. _____ was finally passed
prevailed (failed) by a (Non-Record) (Record Vote of _____ yeas, _____
nays, and _____ present, not voting).

12. Ordered Engrossed at _____ : _____ M.
(time)

13. Engrossed.

14. Returned to Chief Clerk at _____ : _____ M.
(time)

15. Sent to Senate.

Chief Clerk of the House

16. Received from the House _____

17. Read, referred to Committee on _____

18. Reported favorably _____

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read
first time.

20. Ordered not printed.

21. Regular order of business suspended by
(a viva voce vote.)
(_____ yeas, _____ nays.)

_____ 22. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

_____ 23. Read second time _____ passed to third reading by:
(a viva voce vote.)
(_____ yeas, _____ nays.)

_____ 24. Caption ordered amended to conform to body of bill.

_____ 25. Senate and Constitutional 3-Day Rules suspended by vote of _____ yeas,
_____ nays to place bill on third reading and final passage.

_____ 26. Read third time and passed by
(a viva voce vote.)
(_____ yeas, _____ nays.)

OTHER ACTION:

OTHER ACTION:

Secretary of the Senate

_____ 27. Returned to the House.

_____ 28. Received from the Senate (with amendments).

_____ 29. House (Concurred) (Refused to Concur) in Senate Amendments by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, _____ present, not voting).

_____ 30. Conference Committee Ordered.

_____ 31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

_____ 32. Ordered Enrolled at _____ : _____ M.
(time)